

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks is respectfully requested.

Claims 20-39 are pending in the application. Claims 20, 25 and 39 have been amended to better define the claimed subject matter.

Applicant appreciates that claims 29-37 are allowed and claims 25-27 contain allowable subject matter as indicated by the Examiner. In this Amendment, allowable claim 25 has been rewritten in independent form by including the limitations of claim 20. Further, it is noted that claim 39 would be allowed by the Examiner if appropriate correction is made. In response, claim 39 has been amended to correct the noted informalities and rewritten in independent form by including the limitations of claim 20. Therefore, claims 25 and 39 should be allowed. The dependent claims that are dependent upon claim 25 should also be allowed.

Applicant's representatives thank the Examiner for granting a telephonic interview on February 25, 2010.

Claims 20-22 stand rejected under 35 U.S.C. 102(e) as being anticipated by Wenzel et al (US 2004/0037467). Applicant respectfully submits that the amended independent claim 20 is patentable over the applied art for the reason(s) discussed below.

Claim 20 now recites that selecting each point of the first contour and matching each said selected point of the first contour with a point of the second contour which is the closest to the selected point; and then univocally pairing each point of the second contour with only one of said matched points of the first contour if said matched points of the first contour are no less than 1. Claim 20 further requires the paired point of the first contour is the closest to the point of the second contour. Wenzel does not disclose or suggest the claimed features.

Wenzel discloses iterative transformation, normalization and re-sampling as disclosed in Figs. 9-10. That is, the curves of Wenzel are transformed, re-normalized, and re-sampled one or more times in iterative fashion to refine the cures for final comparison. On the contrary, the claimed method includes (i) selecting each point of the first contour and matching each said selected point of the first contour with a point of the second contour which is the closest to the selected point; and then (ii) univocally pairing each point of the second contour with only one of said matched points of the first contour if said matched points of the first contour are no less than 1. In other words, the claimed steps are performed in non-iterative fashion, which means that the selected and matched point of the first contour is not matched with a point of the second contour again. In addition, the claimed univocally pairing each point of the second contour with only one of the matched points of the first contour. Wenzel's iterative process cannot perform as the claimed step.

Furthermore, as recited in claim 20, the claimed selecting and matching step is started from the first contour and the claimed univocally pairing step is started from the second contour. Wenzel fails to disclose or suggest this feature.

Accordingly, claim 20 is patentable over the applied art and the rejection should be withdrawn.

Claims 21-22 depend upon claim 20 and should be patentable over the art for the reasons advanced with respect to claim 20. The rejection of claims 21-22 should be withdrawn.

Claims 23-24 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Wenzel in view of Huttenlocher et al (US 6,249,604). Applicant respectfully traverses the rejection, because Huttenlocher fails to cure the deficiency of Wenzel. Claims 23-24 depend upon claim 20 and should be patentable for the reasons advanced with respect to claim 20. The rejection should be withdrawn.

Conclusion

All rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

Early issuance of a Notice of Allowance is courteously solicited.

The Examiner is invited to telephone the undersigned, Applicant's attorney of record, to facilitate advancement of the present application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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